

U.S. Environmental Protection Agency Region 6  
Response to Request for One-Time Authorization of Discharge of Incident-Related Wastewater and  
Continuing Discharge of Non-Incident Related Wastewater

In an effort to ensure that the response action for the Intercontinental Terminals Company (ITC) facility continues uninterrupted and transitions to a non-emergency status, EPA, with concurrence from TCEQ, issued ITC a one-time authorization for incident-related wastewater to be discharged through their wastewater treatment system on April 17, 2019. This authorization is to ensure that the ongoing response activities continue without disruption and can transition to a recovery mode by maintaining the facility's onsite wastewater treatment capabilities and preventing any possible untreated wastewater discharge from the facility. This one-time authorization for discharge will be done in accordance with the sampling requirements set forth in the facility's TPDES permit No. 0001984000 along with monitoring and reporting requirements.

On March 17, 2019, EPA, TCEQ, local agencies, and ITC, in a Unified Command, responded to a tank fire at the ITC Deer Park, Texas facility. EPA and TCEQ continue to be onsite for the emergency response and are focused on providing the assistance and coordination needed to address any discharges from the facility.

Current conditions at the facility require immediate action to prevent the further release of untreated contaminated wastewater. The facility has a collection of over 581,000 barrels of wastewater and organic waste that is being stored by ITC as it evaluates disposal options. Each rain event contributes to the amount of contaminated wastewater that must be collected and stored at the ITC facility. With additional rain forecasted over the next few days and predicted in the coming weeks, the volume of collected wastewater will continue to increase and may soon exceed ITC's current waste storage capacity resulting in a discharge of untreated wastewater into Tucker and Buffalo Bayou delay in the ongoing response activities.

At the request of ITC, with concurrence from TCEQ, and pursuant to EPA's emergency response authorities, EPA is authorizing the treatment and discharge of the incident-related wastewater from Tank 80-34 through the on-site wastewater treatment system. This action will allow rain water collected in other operational area outside of the response area to be treated and discharge through the facilities wastewater treatment system and not compound the problems associated with incident related wastewater storage.